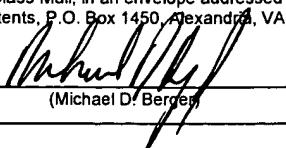




I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: February 26, 2004 Signature:   
(Michael D. Berger)

Docket No.: 60710-00002USC1  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
F. Charles Brunicardi

Application No.: 10/656450

Art Unit: 1632

Filed: September 5, 2003

Examiner: Not Yet Assigned

For: PROMOTER DRIVEN TISSUE SPECIFIC  
CYTOTOXIC AGENTS AND METHODS OF  
USE

### SECOND PRELIMINARY AMENDMENT

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

### INTRODUCTORY COMMENTS

Prior to examination on the merits, please amend the above-identified U.S. patent application as follows:

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 7 of this paper.

An **Appendix** including the Sequence Listing is included.